

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 03 2004

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed APR 02 2002 under 68675

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The applicant **Jeff and Greg Whitaker (Whitaker Dairy)** hereby makes application for permission to change the **point of diversion, manner of use, and place of use of a portion of water heretofore appropriated under 35133 certificate 11072**

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1. The source of water is **underground**
2. The amount of water to be changed **0.14 cfs. , 8 afa,**
3. The water to be used for **commercial use**
4. The water heretofore permitted for **irrigation and domestic**
5. The water is to be diverted at the following point **located in the SE $\frac{1}{4}$ -NW $\frac{1}{4}$  of section 23 T.18N., R.28E., MDB&M., from a point that bears S 42°20'32"E a distance of 5224.00 ft. to the SE corner of said section 23 refer to map filed under 68675**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 6. T.19N. R.28E MDB&M., or at a point from which the SE corner of said section 6 bears S. 86° 54' E., a distance of 2596.8 ft. refer to map 35133**
7. Proposed place of use **The N $\frac{1}{2}$ -SE $\frac{1}{4}$  NW $\frac{1}{4}$  of section 23, T.18N., R 28E., MDB&M, a total of 20.0 acres refer to map under 68675**
8. Existing place of use **2 ~~acrs.~~ in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec 6 T19N. R28E MDB&M This application changes the last portion of water under permit 35133 see stripping map in file**
9. Use will be from **Jan 1 to Dec 31** of each year.
10. Use was permitted from **Jan 1 to Dec 31** of each year.
11. Description of proposed works **Existing well under permit 68675**
12. Estimated cost of works **Existing**
13. Estimated time required to construct works **done**
14. Estimated time required to complete the application of water to beneficial use **5 yrs.**

15. Remarks: Commercial dairy operation

By Jeff Whitaker  
s/Jeff Whitaker  
2295 Sorensen Rd.  
Fallon Nv 89406

Compared sc/sg lt/ sam

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 35133, Certificate 11072, is issued subject to the terms and conditions imposed in said Permit 35133, Certificate 11072, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 68675, 71306, 71307 and 71645 shall not exceed 44.07 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Any well drilled under this permit shall be drilled in what has been described in the United States Geological Survey Water Supply Paper 2263 as the intermediate alluvial aquifer. In no instance shall the seal on this well be less than 100 feet below ground level.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The issuance of this permit is for the consumptive use portion only, being 5.98 acre-feet, of the 8.0 acre-feet portion of the base right. The remainder, 2.02 acre-feet, remains in the groundwater source. The issuance of this permit abrogates 8.0 acre-feet from Permit 35133.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.14 cubic feet per second, not to exceed 5.98 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

October 7, 2008

Proof of the application of water to beneficial use shall be filed on or before:

November 7, 2008

Map in support of proof of beneficial use shall be filed on or before:

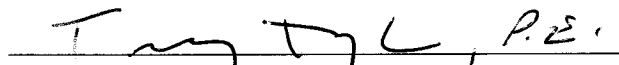
N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 31st day of July, A.D. 2006

  
State Engineer

Completion of work filed May 29, 2003 under 68675

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_